

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
COMBINED DECLARATION AND POWER OF ATTORNEY
FOR JOINT INVENTORS**

As the below named coinventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names. We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled as follows:

HYBRID MAIZE PLANT & SEED 36N70, the specification of which are attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code Of Federal Regulations, Section 1.56. We further declare that no application for patent or inventor's certificate on this invention has been filed by us, our legal representatives or assigns in any country foreign to the United States of America except as identified below:

NONE.

Applicants hereby appoint the attorneys of record listed under **Customer No. 27142** at ZARLEY, McKEE, THOMTE, VOORHEES & SEASE, 801 Grand Avenue, Suite 3200, Des Moines, Iowa 50309-2721 (telephone number 515-288-3667 and fax number 515-288-1338), as our attorneys to prosecute this application and to transact all business in the Patent Office connected therewith.

Please direct all correspondence to the attention of Heidi S. Nebel, Zarley, McKee, Thomte, Voorhees & Sease, 801 Grand Avenue, Suite 3200, Des Moines, Iowa, 50309-2721 (telephone number 515-288-3667).

We hereby declare that all statements made herein are of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Inventor's signature: David Bernard Fischer

Date: Jan. 10, 2001

Full name of joint inventor: David Bernard Fischer

Residence: Cedar Rapids, Iowa

Post Office Address: 600 Nilsen Road NE
Cedar Rapids, Iowa 52402

Country of Citizenship: United States of America

Inventor's signature: Joseph Kevin Gogerty

Date: 1-10-01

Full name of joint inventor: Joseph Kevin Gogerty

Residence: Algona, Iowa

Post Office Address: 1808 E. State Street
Algona, Iowa 50511

Country of Citizenship: United States of America